IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

Bail Appl..No. 544 of 2007()

CRIME NO.61/06 OF THENMALA POLICE STATION.

PETITIONER/ACCUSED:

G. RAJESH, S/O. GOPALAN,
AGED 27 YEARS, CHARUVILA PUTHEN VEEDU,
ARAYANKAVU P.O., PUNALUR.

BY ADV. SRI.T.M.KOCHUNNI

RESPONDENTS:

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1. THE SUB INSPECTOR OF POLICE,
THENMALA POLICE STATION.

2. THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.544 OF 2007

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DATED THIS THE 1ST DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the accused in Crime No.61/06 of Thenmala Police Station for offences punishable under sections 294(b), 341 and 308 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The occurrence took place on 14.3.2006 at 2.30 PM when the accused is alleged to have stabbed the de facto complainant on his chest with a knife. The weapon of offence has not been recovered so far.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn